



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Western, et al. )  
)  
Filed: November 20, 2001 )  
) Group Art Unit: 1637  
Serial No.: 9/989,757 )  
) Examiner: Spiegler, A.  
Title: Detection of Nucleic Acids by )  
Target-Catalyzed Product Formulations )  
)  
Atty Docket No.: BEH-7270 CT2 )

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 C.F.R. §§ 1.97 AND 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

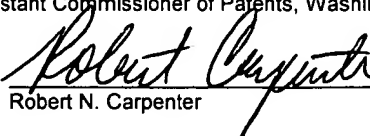
Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicants wish to bring the following information to the attention of the Examiner in connection with the subject application. A copy of each citation is attached, as is Form PTO-1449, on which the citations are listed.

Applicants resubmit references C01-C07, which were unavailable to the Examiner as indicated in the Office Action of October 1, 2003. Please charge any necessary fees, or credit any overpayments, to Deposit Account No. 04-0010.

This Disclosure Statement is not intended to substitute for the Examiner's own search. It is believed, however, that this Disclosure Statement will assist the Examiner in the search. The Examiner is expressly requested to review each item cited herein and to make all of the

**CERTIFICATE OF MAILING**

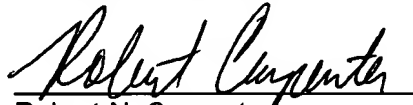
I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, on this 1st day of April, 2004.

  
Robert N. Carpenter

cited items of record in this case as having been considered. The completed Form PTO-1449 is attached for this purpose.

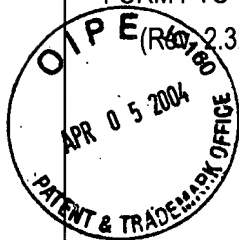
Citation of the items herein is not to be construed as an admission that the information is within the scope and content of the prior art relevant to the present invention, that the information is prior in time to a particular date which may be relevant to the present patent application, that the information is otherwise prior art with respect to the present invention, or that the information cited is material to the claims. In addition, applicants reserve the right to later set forth how the present invention is distinguished over the disclosure of any document or other prior art, including the information cited herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert N. Carpenter", written over a horizontal line.

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FORM PTO-1449 (Rev. 2-32) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. BEH-7270 CT2	SERIAL NO. 9/989,757
	APPLICANT Western, et al.	
	FILING DATE November 20, 2001	GROUP 1637

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT  
(Use several sheets if necessary)

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01						
	A02						
	A03						
	A04						
	A05						

### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	B01	0 360 940	4 Apr 1990	EP			
	B02						
	B03						
	B04						
	B05						

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	C01	Van Brunt, J., <i>Amplifying Genes: PCR and Its Alternatives</i> , BIO/TECHNOLOGY; 8: 291-292 and 294, 1990
	C02	Lyamichev, et al., <i>Structure-Specific Endonucleolytic Cleavage of Nucleic Acids by Eubacterial DNA Polymerases</i> , SCIENCE; 260: 778-783, 1993
	C03	Longley, et al., <i>Characterization of the 5' to 3' exonuclease associated with Thermus aquaticus DNA Polymerase</i> , NUCLEIC ACIDS RESEARCH; Vol. 18, No. 24: 7317-7322, 1990
	C04	Holland et al., <i>Detection of Specific Polymerase Chain Reaction Product by Utilizing the 5' to 3' exonuclease activity of Thermus Aquaticus DNA Polymerase</i> ; PROC. NATL. ACAD. SCI. USA; 88: 7276-7280, 1991
	C05	Stratagene Catalog, P. 39, 1988
	C06	Saiki et al, <i>Primer Directed Enzymatic Amplification of DNA with a Thermostable DNA Polymerase</i> , Science, 239:487-491, 1988
	C07	Saiki et al, <i>Enzymatic Amplification of B-Globin Genomic Sequences and Restriction Site Analysis for Diagnosis of Sickle Cell Anemia</i> , Science, 230: 1350-1354, 1985.
	C08	

\* References were previously cited by the Applicant or by the Examiner and thus copies of these references are not being resubmitted with this statement. Copies of the prior PTO-1449 and -892 forms are enclosed herein. See 37 C.F.R. §1.98(d).

Examiner	Date Considered
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**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449 [6-4])